

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DESIGN DATA CORPORATION,

Plaintiff,

v.

UNIGATE ENTERPRISE, INC., et al.,

Defendants.

Case No. [12-cv-04131-WHO](#)

**ORDER GRANTING MOTION TO  
CHANGE TIME**

Re: Dkt. Nos. 88, 90

I have reviewed defendants' request to continue the hearing on their Motion for Summary Judgment for three weeks and to allow defendants three additional weeks to file their Reply in support of that Motion. I have also reviewed plaintiff's Opposition to that request.

Defendants' request is GRANTED. The hearing on defendants' Motion for Summary Judgment is moved to **Friday July 18, 2014 at 1:00 p.m.** Defendants' Reply brief is due June 30, 2014.

Defendants also ask the Court to de-designate "as Confidential – Attorneys Eyes Only" specific emails produced by plaintiff, so that defense counsel can show them to their clients. Docket No. 88. I have not had the benefit of plaintiff's response on the merits to this issue but it is not obvious why these emails – purportedly sent by representatives of plaintiff to defendants – merit an AEO designation. Any confidential information would seem to be adequately protected by a "confidential" designation under the Protective Order. Accordingly, counsel are ORDERED to meet and confer by **Tuesday June 10, 2014** about re-designating the material as confidential. If counsel cannot agree to re-designate the material as confidential, plaintiff shall file a response and declaration by **Thursday, June 12, 2014** explaining why a confidential designation would not be adequate.

The Court also has before it two Administrative Motions to File Under Seal. Docket


United States District Court  
Northern District of California

Nos.85, 88. On or before **Wednesday June 11, 2014**, defendants shall file a declaration in accordance with Civ. Local Rule 79-5 establishing that the materials they designated as confidential that plaintiff has relied on in its Opposition brief and supporting exhibits (*see* Korpus Decl. in Support of Plaintiff's Motion, Docket No. 85-1) should be filed under seal. Defendants shall articulate reasons, supported by specific facts, showing that compelling reasons exist for sealing the material that outweigh the public's right of access. *Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

Similarly, on or before **Wednesday June 11, 2014**, plaintiff shall file a declaration establishing that the material it designated as confidential and relied on by defendants in Docket No. 88, should be filed under seal under the applicable standard.

**IT IS SO ORDERED.**

Dated: June 6, 2014

  
WILLIAM H. ORRICK  
United States District Judge